



GRIFFITH HACK

PATENT AND TRADE MARK ATTORNEYS

Melbourne Office
509 St Kilda Road Melbourne
VIC 3004 Australia
GPO Box 1285K Melbourne
VIC 3001 Australia

Telephone +61 3 9243 8300
Facsimile +61 3 9243 8333
Facsimile +61 3 9243 8334
ghmelb@griffithhack.com.au
www.griffithhack.com.au

The Commissioner of Patents

28 June 2004

COPY

Madam

**IN THE MATTER OF International Patent Application No. PCT/AU2003/001496
in the name of COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH
ORGANISATION
Entitled MERCERISATION OF CELLULOSIC FIBRES
Our Ref: JSB:SP:FP18655**

We refer to the International Search Report dated 9 January 2004, and to the Demand for International Preliminary Examination requested on this application on this date.

We have observed that GB 2236770 has been cited in category X against claims 1-5, 21, 22 and 38.

Regarding claim 1, this claim defines a process for mercerizing unconstrained cellulosic fibers, which involves transporting the fibers "*along a transit path through a mercerizing zone ... followed by a rinsing zone.*" It is clear from claim 1 that there is transportation from one zone to another zone along a transit path, indicating that there is transportation and movement from one zone to another. In contrast, the cited British patent discloses a process in which fibers such as cotton fibers are placed into a reaction vessel between two sets of steel meshes. In this stationary position, mercerization liquid is applied to the fibers within the reaction vessel. Mercerization liquid is pumped into the vessel under vacuum, and after mercerization is complete, the mercerization liquid is removed from the vessel. Next, wash water is pumped under vacuum into the reaction vessel. Consequently, the process does not involve any transportation of the unconstrained cellulosic fibers along a transit path through a mercerizing zone, followed by a rinsing zone. The fibers stay stationary and those liquids are brought into contact with the fibers by other means.

The present invention involves further differences with respect to the cited British patent, particularly in relation to preferred features made the subject of dependent claims. However, for the above reasons at least, we submit that the present invention is novel and involves an inventive step over the disclosure in the cited patent.

GRIFFITH HACK

PATENT AND TRADE MARK ATTORNEYS

The Commissioner of Patents

28 June 2004

We look forward to receiving the results of International Preliminary Examination in due course.

Yours faithfully
GRIFFITH HACK

Janelle Borham
Principal
janelle.borham@griffithhack.com.au